

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
(Columbia Division)**

PLANNED PARENTHOOD SOUTH
ATLANTIC, on behalf of itself, its patients,
and physicians and staff, *et al.*,

Plaintiffs,

v.

ALAN WILSON, in his official capacity as
Attorney General of South Carolina, *et al.*,

Defendants.

Case No. 3:21-cv-00508-MGL

**MOTION TO EXPEDITE CONSIDERATION OF PLAINTIFFS' EMERGENCY RULE
41(A)(2) MOTION TO DISMISS WITHOUT PREJUDICE**

Plaintiffs Planned Parenthood South Atlantic (“PPSAT”), Greenville Women’s Clinic, P.A. (“GWC”), and Dr. Terry Buffkin move for expedited consideration of their emergency motion to voluntarily dismiss this action without prejudice and without costs, pursuant to Federal Rule of Civil Procedure 41(a)(2). Pursuant to Local Civil Rule 7.02, the undersigned counsel notified opposing counsel of this motion but was unable to resolve the matter in the short available time. Pursuant to Local Civil Rule 7.04, an accompanying supporting memorandum is not being submitted because this Motion contains a full explanation and a separate memorandum would serve no useful purpose.

As Plaintiffs’ Rule 41(a)(2) motion explains, the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Organization*, No. 19-1392, slip op. (U.S. June 24, 2022), has now overruled nearly fifty years of established precedent on which Plaintiffs appropriately relied at the time they filed their sole legal claim challenging South Carolina’s Six-Week Ban over a year ago. Defendants have moved for an emergency stay of the preliminary injunction blocking the Six-Week Ban, and for expedited consideration of that motion. ECF Nos. 137–39. Plaintiffs thus seek

expedited consideration of their emergency motion for voluntary dismissal of this case without prejudice to preserve their immediate option to challenge the Six-Week Ban in state court under any federal and/or state claims that remain available to them. Delay would cause irreparable harm by preventing Plaintiffs from taking prompt action to challenge a law that will devastate access to abortion in South Carolina, as detailed extensively in Plaintiffs' motion for a temporary restraining order and preliminary injunction and the accompanying declarations. *See* ECF Nos. 5, 5-1, 5-2, 5-3. There is good cause for the Court to expedite its consideration of the emergency motion.

For the foregoing reasons, Plaintiffs request that the Court enter an order granting expedited consideration of Plaintiffs' motion to voluntarily dismiss this action without prejudice.

Respectfully submitted,

/s/ M. Malissa Burnette

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Dated: June 24, 2022